Colchester Public Schools

SHIPMAN-RECOMMENDED POLICY UPDATE

Under the Freedom of Information Act, public agencies, including boards of education, must make their meetings, other than executive sessions, open to the public. We have revised this policy in light of June Special Session, Public Act No. 21-2, which requires boards of education to provide board members with the opportunity to participate in public meetings by means of electronic equipment. The new law also allows, but does not require, until April 30, 2022, public agencies to hold public meetings that are accessible to the public through electronic equipment, or through electronic equipment in conjunction with an in-person meeting. Accordingly, Section 5 of the revised bylaw, Procedures for Public Participation by Means of Electronic Equipment, is optional. However, if boards do not adopt this section of the revised bylaw, they should be prepared to accommodate any changes necessitated by pandemic-related conditions in the event that such conditions warrant a return to fully remote board meetings.

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BYLAWS OF THE BOARD

MEETING CONDUCT

1. Definitions

For purposes of this policy:

A. "Electronic equipment" means any technology that facilitates real-time public access to meetings, including, but not limited to, telephonic, video, or other conferencing platforms.

B. "Electronic transmission" means any form or process of communication not directly involving the physical transfer of paper or another tangible medium, which (A) is capable of being retained, retrieved and reproduced by the recipient, and (B) is retrievable in paper form by the recipient.

2. Meeting Conduct

A. Meetings of the Board of Education shall be conducted by the Chairperson in a manner consistent with the provisions of the Freedom of Information Act and the adopted bylaws of the Board.

B. All Board meetings shall commence at, or as close as practicable to, the stated Time, provided there is a quorum.

C. All regular and special Board meetings shall be guided by an agenda which will have been prepared and delivered in advance to all Board members and other designated persons.
D. The Board of Education may recess any regular or special meeting to a specified time and place.
E. Protocol for meetings of the Board of Education follows parliamentary rules and procedures as outlined by Robert's Rules of Order.

3. Procedures for Electronic Participation

A. **Effective July 1, 2021 until April 30, 2022,** Board members may participate in meetings electronically (e.g., conference call, video conferencing, etc.) under the conditions set forth herein. When such conditions are met, any Board member participating telephonically shall be counted for the purpose of constituting a quorum. **The Board is not required to adjourn or postpone a meeting if a Board member loses the ability to participate because of an interruption, failure, or degradation of that member's connection by electronic equipment, unless the member's participation is necessary to form a quorum.** Conditions for participation are as follows:
    1. Any Board member participating electronically must identify themselves during roll call and again prior to their first comments or questions. Board members are encouraged to identify themselves prior to subsequent comments or questions. Board members shall also identify themselves as part of any Board voting.
    2. Any physical or demonstrable material that is used in the course of the proceedings must be present in the place where the public is located; and
    3. All those in attendance at the meeting, at whatever location, must be able to hear and identify all participants in the proceeding, including their individual remarks and votes.
    4. **After April 30, 2022,** Board member participation in meetings by means of electronic equipment shall be governed by all applicable laws, rules, regulations, and guidance, as appropriate, in effect at the time of such participation.
B. When a Board member is participating in a meeting electronically, the Chairperson shall take the necessary steps to ensure that a Board member participating telephonically has adequate opportunity to express himself/herself in Board discussion, including the opportunity to take the floor and make motions.

4. Citizens' Comments

A. The Board may permit any individual or group to address the Board concerning any subject that lies within its jurisdiction during the portion of any Board meetings so designated for such purpose. Citizens' Comments shall be subject to the following guidelines:

1. Three (3) minutes will be allotted to each speaker on each subject matter, and a maximum of fifteen (15) minutes will be allotted to each subject matter. The Board may decide by a majority vote to extend the 15 minutes of time allotted to each subject matter, but in no event shall the total time allotted to each subject matter exceed 30 minutes. The 3 minutes of time allotted to each speaker cannot be extended. Time not used by a speaker cannot be retained for later use by that speaker and cannot be allotted to another speaker. Speakers may provide written testimony or handouts to the Board, which will become part of the public meeting record. Speakers are not permitted to make presentations to the Board using PowerPoint, overhead projectors, or other electronic/digital programs.
2. A Board of Education member shall be appointed by the Chairperson to act as timekeeper for the meeting, if deemed necessary by the Chairperson.
3. All speakers must identify themselves by name and address.
4. The Board will not respond to comments made during Citizens' Comments, with the exception that the Chairperson only may respond if, in the discretion of the Chairperson, such comments require an immediate response.
5. The Board may not limit the subject of a citizen's comments, except that formal charges or formal complaints must be initiated in writing only in accordance with Policy 1312P General Complaint Procedures. Reasonable standards for decorum are expected.
6. No inappropriate or disrespectful conduct or personal attacks shall be permitted at any Board of Education meeting. Persistence in such conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address. The Chairperson may also ask such person to leave the meeting.
7. If a meeting of the Board of Education is interrupted by disturbances or inappropriate or disrespectful conduct and order cannot be restored,

the Chairperson may order the room cleared and then continue with the meeting. Members of the press and members of the public not participating in such disturbance and/or not participating in such inappropriate or disrespectful conduct may be allowed to remain.

5. Actions by the Board

No action will be taken at a special meeting unless the subject acted upon was listed in the agenda published for that meeting. Additions may be made to the agenda at a regular meeting for which action may be considered.

All motions and each member's vote taken by the Board shall be identified clearly in minutes of the Board meeting as provided in Bylaw 9326: Minutes.

Legal Reference: Connecticut General Statutes

18-a Definitions. 1-19 Access to public records. 1-21 Meetings of government agencies to be public. 1-21a Recording, broadcasting or photographing meetings. 1-21d Adjournment of meetings. 1-21g Executive sessions. 1-21h Conduct of meetings. 1-21i Denial of access to public records or meetings. 10-224 Duties of the secretary.

Bylaw adopted by the Board: November 18, 1997
Bylaw revision: January 8, 2013
Bylaw revision: August 12, 2014
Bylaw revision: August 10, 2021
Bylaw revision: December 14, 2021

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut